

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:20-cv-174-FDW-DSC**

GREGORY TURNER,)	
)	
Plaintiff,)	
)	
vs.)	
)	<u>ORDER</u>
SCHNEIDER NATIONAL INC.,)	
)	
Defendant.)	
)	

THIS MATTER is before the Court on its June 5, 2020, Order, (Doc. No. 3).

Plaintiff filed a *pro se* Complaint asserting claims under the Americans with Disabilities Act, 42 U.S.C. § 12112 *et seq.* (Doc. No. 1). In an Order issued on June 5, 2020, the Court granted Plaintiff's Application to proceed *in forma pauperis* and dismissed the Complaint on initial review pursuant to 28 U.S.C. § 1915. (Doc. No. 3). The Court granted Plaintiff the opportunity to amend his Complaint within 30 days and cautioned him that the failure to do so would result in this action's dismissal without prejudice and without further notice. (Doc. No. 3 at 5).

Plaintiff failed to amend his Complaint in accordance with the June 5 Order and the time to do so has expired. Therefore, this action will be dismissed without prejudice. Fed. R. Civ. P. 41(b) ("If the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it."); Link v. Wabash R.R. Co., 370 U.S. 626, 631-33 (1962) (although Rule 41(b) does not expressly provide for *sua sponte* dismissal, a district court has the inherent power to dismiss a case for lack of prosecution or violation of a court order).

IT IS, THEREFORE, ORDERED that:

1. This action is **DISMISSED** without prejudice for Plaintiff's failure to comply with

the Court's June 5, 2020 Order.

2. The Clerk of this Court is directed to terminate this action.

Signed: July 8, 2020


Frank D. Whitney
United States District Judge